

Hearing Date: January 7, 2020
Time: 11:30 a.m.
Location: Courtroom #1, Reading, PA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : CHAPTER 11
:
RE LIQUIDATION CORP, : BANKR. NO. 19-11728JKF
:
Debtor. :

**UNITED STATES TRUSTEE'S MOTION TO DISMISS
OR CONVERT TO CHAPTER 7**

The Acting United States trustee for Region 3 (the "U. S. trustee"), in furtherance of the administrative responsibilities imposed under 28 U.S.C. Section 586(a), moves pursuant to 11 U.S.C. § 1112(b), for the entry of an order dismissing this case or converting the case to chapter 7. In support of his motion, the U. S. trustee represents as follows:

1. RE Liquidation Corp (the "Debtor") commenced this case by filing a voluntary petition (the "Petition") under chapter 11 of the U. S. Bankruptcy Code on March 20, 2019.
2. To date, the Debtor has not filed a proposed disclosure statement or plan of liquidation.
3. Upon information and belief, the Debtor is administratively insolvent.
4. The Debtor has also failed to file monthly operating reports as required pursuant to the U. S. trustee Operating Guidelines and LBR 2015-1. To date, the reports for the months of August through October 2019 are past due, and the report for the month of November 2019 will be due prior to the date of the hearing on this motion.
5. Upon information and belief, the Debtor has also failed to remain current with its post-petition financial obligations including, but not necessarily limited to the fees due

and owing pursuant to 28 U.S.C. § 1930(a)(6). The U. S. trustee is unable to determine the amount of any outstanding fees for the reasons set forth in the preceding paragraph.

6. The failure and/or inability to comply with the provisions of the Bankruptcy Code, the Federal and Local Bankruptcy Rules, and the U. S. trustee Guidelines, and its possible inability to remain current with post-petition obligations constitute grounds for the dismissal or conversion of this case to chapter 7 pursuant to 11 U.S.C. § 1112(b).

For the reasons set forth above, among others, the U. S. trustee respectfully requests that the Court conduct a hearing on the above issues and enter an order dismissing this case. If any quarterly fees remain due and owing at the time of the hearing, the U. S. trustee requests the entry of a judgment against the Debtor in the amount of all accrued and unpaid fees as of the hearing date. The U. S. trustee specifically reserves the right to supplement his motion at or prior to the hearing thereon.

Dated: November 26, 2019.

ANDREW R. VARA
Acting United States trustee

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